


T&E COMMITTEE #1
October 27, 2014

MEMORANDUM

October 23, 2014

TO: Transportation, Infrastructure, Energy and Environment Committee

FROM:  Glenn Orlin, Deputy Council Administrator

SUBJECT: Resolution to authorize advance taking for Chapman Avenue Extended project

On October 7, 2014 the County Executive requested authority to condemn, by the advance taking procedure, fee simple acquisitions or easements on four properties—totaling 10,097sf for fee simple acquisitions, 3,157sf for permanent easements, and 8,466sf for temporary construction easements—for the construction of the Chapman Avenue Extended project in the White Flint area of North Bethesda.

The Executive's letter transmitting this request is attached as ©1-2 and a draft resolution is on ©4-5. Plats showing the location of the easements are on ©10-12. A map showing the location of the proposed advance taking is on ©13.

The Department of Transportation (DOT) wrote to the affected property owners notifying them of the Executive's request and when the Committee and Council would meet on the matter. One example of the letter is on ©14.

DOT staff will be on hand to answer Councilmembers' questions about the Executive's request. The full Council is tentatively scheduled to take action on October 28.

Trans



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

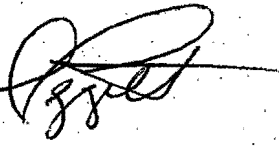
5009241

Isiah Leggett
County Executive

MEMORANDUM

October 7, 2014

TO: Craig Rice, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Chapman Avenue Extended
CIP Project No. 500719

RECEIVED
MONTGOMERY COUNTY

2014 OCT -9 AM 11:22

Pursuant to Executive Order No. 074-10, the Department of Transportation (DOT) has authorized the extension to Chapman Avenue from Randolph Road to Old Georgetown Road within the 4th Election District of Montgomery County, Maryland. The County proposes improvements along a 1,350 foot segment of Chapman Avenue. The roadway improvements include: construction of 5' concrete sidewalks on both sides of the roadway with a green space between the curb and sidewalk, construction of a retaining wall along the Forum Condominium Property up to 5' high and 252' in length, construction of a storm drainage and storm water management, streetlights, signing and pavement marking, and reconfigure traffic signals at Randolph Road.

The planned construction impacts 18 properties and 13 Property Owners along Maple Avenue, Nebel Street, and Old Georgetown Road. Negotiations with the Property Owners for the necessary right-of-way acquisitions began in July 2007 and are continuing. To date, the County has settled 12 properties with 9 Property Owners. In order to maintain the County's construction schedule, however, it has become necessary for the County to seek authorization from the Council to obtain immediate possession of portions of those properties for which the County has not yet been able to negotiate an amicable resolution with the Property Owners. Accordingly, the Council is being requested to authorize the County to proceed with its Advance Taking procedures under Montgomery County Code § 49-50 in order to take immediate possession of the remaining properties.

Authorization to commence Advance Taking procedures will not end the County's efforts to continue to negotiate toward an amicable agreement with the subject Property Owners. However, due to construction time constraints, formal authorization to commence Advance Taking procedures is being requested at this time.

The following is a status report of the DOT's negotiation efforts to date with the Owners of the properties subject to the proposed Advance Taking.

1. The Council of Co-Owners of the Forum Condominium - The acquisition consists of 1 property including 1,332 square feet for a perpetual easement and 2,030 square feet for a temporary construction easement. Contacts with the Property Owner have included initial and updated offer letters, a letter transmitting a proposed Option Contract, 21 email conversations with the Forum's representative Todd Lewers, and 3 meetings. The Forum Board of Directors approved the acquisition, but the Board was advised to postpone signing the Option Contract until it has followed the procedures of the Maryland Condominium Act. The County is expecting a signed Option Contract.
2. I.P. Associates LLC - The acquisition consists of 2 properties including 3,095 square feet in fee simple, 320 square feet for a perpetual easement, and 878 square feet for a temporary construction easement. Contacts with the Property Owner have included initial and updated offer letters, a letter transmitting a proposed Option Contract, 4 telephone conversations with Property Owner's representative James Whalen, 14 email conversations with Mr. Whalen, and 2 meetings. The parties have reached an amicable agreement. The County is expecting a signed Option Contract.
3. Washington Real Estate Investment Trust (WRIT) - The acquisition consists of a fee taking containing 15,002 square feet of land, a permanent drainage easement containing 1,505 square feet, and two temporary construction easements containing 2,383 and 1,723 square feet of land area. Contacts with the Property Owner include initial and updated offer letters, 6 telephone calls with the Property Owner's representative Robert Stoddard, 3 email conversations with Mr. Stoddard, and 1 meeting. Staff has not reached an amicable agreement with the Property Owner.
4. White Flint Station Council of Unit Owners - The acquisition consists of 2 properties with two small temporary construction easements containing 694 and 758 square feet. Contacts with the Owner include initial and updated offer letters and 5 telephone calls with Property Owner's representative John Harris. Staff has not reached an amicable agreement with the Property Owner.

ATTACHMENTS:

1. County Council Resolution
2. Executive Order No. 74-10
3. Map and Plats

ATTACHMENT NO. 1

RESOLUTION _____
INTRODUCED _____
ADOPTED _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By County Council

SUBJECT: Optional Procedure for Condemnation of Land, Advance Taking
CIP Project No. 500719

In accordance with Article III, Section 40A, Maryland Constitution and Section 49-50,
2004 Montgomery County Code, as amended.

BACKGROUND

- I. The Council has been requested to authorize the condemnation of the portion of land necessary to extend Maple Avenue from Randolph Road to Old Georgetown Road in North Bethesda and to construct improvements including a sidewalks, streetlights, storm drainage, storm water management, and underground utilities in accordance with §49-50 of the Montgomery County Code, (2004) as amended.
1. In order to meet the construction schedule, as authorized by the Montgomery County Council, the County must acquire the properties referenced below in a timely manner.
 2. The County has been unable to complete negotiations for Option Contracts with the Property Owners listed below.

RIGHT OF WAY IN SQUARE FEET

OWNER	ACCT. #	LOT/BLOCK OR PCL./MAP GRID	LIBER/ FOLIO	FEE SIMPLE	REV./PERP. EASEMENT	TEMP. EASE.
The Council of Co-Owners of the Forum Condominium		Parcel 1/ Montrose Pavilion	4393/193	0	0/1,332	2,030
I.P. Associates, LLC	00056205	P159/HQ12	16148/396	1,641	0/320	0
	00056216	P166/HQ12	16148/396	1,454	0/0	878
Washington Real Estate Investment Trust	00046651	Parcel A/ C.D.T. Associates Addition to Montrose	32349/179	15,002	0/1,505	4,106

Council of Unit	Parcel A/	32453/214	0	0/0	758
Owners of White	Jefferson Villa				
Flint Station, A	Parcel B/	32453/214	0	0/0	694
Condominium	Jefferson Villa				

ACTION

- I. The County Council finds that there is an immediate need to take possession of a portion of the property listed above and approves the Resolution authorizing the condemnation of land under the optional method for condemnation of land for streets or roads specified in Section 49-50 2004 Montgomery County Code for the extension of Chapman Avenue from Randolph Road to Old Georgetown Road. In furtherance of these actions, the County Council hereby:
 1. Guarantees the payment of any amount above the estimated fair market value later awarded by a jury; and
 2. Appoints Melville E. Peters, ASA CRA Maryland Certified General Appraiser, to appraise the fair market value of the property.
 3. Orders the County Attorney to acquire the listed property under this procedure.
- II. Montgomery County will take immediate possession of the listed property upon filing petitions of advance taking in the Circuit Court for Montgomery County, Maryland and depositing with the Court the fair market value of the property, as determined by the appraiser appointed above. The County may abandon these proceedings at any time prior to payment of the fair market value of the listed property into the Court.
- III. The County Attorney is hereby directed to take all necessary steps to acquire the property.

THIS IS A CORRECT COPY OF COUNCIL ACTION

Linda M. Lauer
Clerk of the Council

ATTACHMENT NO. 2



MONTGOMERY COUNTY EXECUTIVE ORDER

COPY

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: CHAPMAN AVENUE EXTENDED (CIP #500719)	Executive Order No. 074-10	Subject Suffix and SR
Originating Department DEPARTMENT OF TRANSPORTATION	Department Number	Effective Date 03/22/10

- Pursuant to Section 49-54 of the Montgomery County Code (2004) as amended, and Executive Order 260-08 the County Executive hereby finds that public interest requires the construction of an extension to Chapman Avenue from Randolph Road to Old Georgetown Road, a public way located in North Bethesda-Garrett Park in election district 4, as follows:

- Construct approximately 1350' of roadway with a 40' cross section width from curb to curb.
- Construct 5' concrete sidewalks on both sides of the roadway with a green space between curb and sidewalk of 6' to 8'.
- Construct a retaining wall along the Forum Condominium Property up to 5' high and 252' in length.
- Construct storm drainage and storm water management improvements.
- Install streetlights, signing and pavement marking and landscaping.
- Reconfigure traffic signals at the Randolph Road intersection.
- Acquire property and remove buildings.

The extension will provide connectivity, access, roadway continuity, and facilitate pedestrian movements by linking retail, planned employment and residential centers. The removal of local trips from MD355 between Old Georgetown Road and Randolph Road will help to reduce congestion-related accidents and improve emergency vehicle accessibility and response times. The extension of Chapman Avenue supports the master plan which emphasizes the need for new local roadway links to relieve congestion on MD355 and to support planned development in the White Flint area.

- A Public Hearing was held on the project at 3:00 p.m. on December 3, 2008, in the lobby level auditorium of the Executive Office Building, 101 Monroe Street, Rockville, Maryland. The Hearing Examiner recommended approval of the project.
- Estimated cost of the proposed improvement (heretofore designated as CIP No. 500719) and estimated funding allocations thereof are as follows:

\$ 4,639,981.74	Costs to be assessed for special benefits against applicable properties
\$ 7,552,018.26	Costs not otherwise incurred, to be borne by Montgomery County
\$ 12,192,000.00	Total estimated cost of the project, including construction management and inspections, land acquisition, utilities, site improvements, and construction.
- Unless otherwise approved by the County, expenditures authorized by this Order plus expenditures accrued to date for this project shall not exceed \$12,192,000 and shall be made payable from funds appropriated for CIP Project No. 500719.




MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

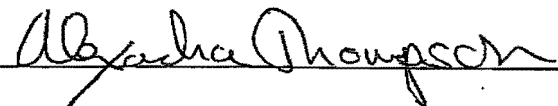
Subject: CHAPMAN AVENUE EXTENDED (CIP #500719)	Executive Order No. 074-10	Subject Suffix and SR
Originating Department DEPARTMENT OF TRANSPORTATION	Department Number	Effective Date 03/22/10

Copy to: County Executive File
Secretary of Council
Director of Finance (2)

APPROVED:


Thomas J. Street
Assistant Chief Administrative Officer

Approved as to form and legality
Office of the County Attorney

By 

Date 3/16/2010

ATTACHMENT NO. 3

ENGINEER'S CERTIFICATE

I HEREBY ADOPT THIS RIGHT OF WAY PLAT AND CERTIFY THAT A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24 (a)(2) OF THE MONTGOMERY COUNTY CODE, WILL BE OBLIGED TO SET THE RIGHT OF WAY MARKERS SHOWN THUS O.

Br E Johnson
Bruce E. Johnson
Chief, Division of Transportation Engineering

8/22/2014
DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; THAT IT DEPICTS A PLAT OF THE PROPOSED RIGHT OF WAY FOR THE CHAPMAN AVENUE IMPROVEMENT, THAT IT IS BASED ON A RIGHT-OF-WAY/EASEMENT SURVEY COMPLETED ON JULY 28, 2008; AND THAT IT Delineates THE LAND TO BE ACQUIRED BY MONTGOMERY COUNTY IN CONNECTION WITH THIS ROAD IMPROVEMENT.

Robert L. Green, II
Robert L. Green, II
Professional Land Surveyor
Maryland Registration No. 21174
Expiration Date: June 27, 2015

DATE

NOTES:

- HORIZONTAL DATUM IS BASED ON THE FOLLOWING SURVEY CONTROL PROVIDED BY THE WASHINGTON SUBURBAN SANITARY COMMISSION IN MARYLAND STATE PLANE COORDINATE SYSTEM NAD 83/91 DATUM.

WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19929
STANDARD W.S.S.C. BRASS DISK
STAMPED "19929" SET IN 10" CONCRETE MONUMENT
NORTHING 504402.242
EASTING 1276362.189

WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19928
STANDARD W.S.S.C. BRASS DISK
STAMPED "19928" SET IN CONCRETE ISLAND
NORTHING 502303.917
EASTING 1280457.672

- TRAVERSE COORDINATES AND DISTANCES HAVE BEEN SCALED UP TO GROUND DISTANCES BY A FACTOR OF 1.000059359 HOLDING-MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION TRAVERSE 904
TRAVERSE 904
NORTHING 504417.459693
EASTING 1280811.168908

- NO TITLE ABSTRACT WAS PROVIDED FOR THIS SURVEY AND THEREFORE IT MAY NOT NECESSARILY REFLECT ALL EASEMENTS, RIGHT OF WAYS AND/OR RESTRICTIONS OF RECORD.

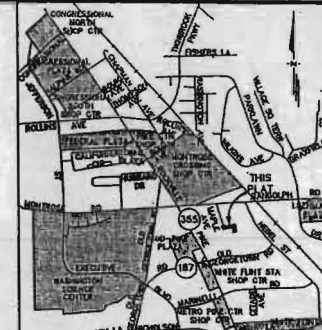
P1024 UNKNOWN OWNER TAX ACCT. 04-00052218	
1 S 1° 41' 05" E 2.15'	2 N 87° 12' 53" E 172.29'
2 N 87° 12' 53" E 172.29'	3 N 1° 30' 50" W 2.09'
3 N 1° 30' 50" W 2.09'	4 S 87° 14' 00" W 172.30'
4 S 87° 14' 00" W 172.30'	FEE SIMPLE AREA 349 SF. or 0.00802 Ac. SHOWN THUS:
P265-2 MAPLE AVENUE INVESTMENT PARTNERS, LLC TAX ACCT. 04-00052218	
1 S 1° 41' 32" E 24.20'	2 R = 15.00' A = 19.10'
2 R = 15.00' A = 19.10'	3 N 67° 22' 57" E 124.73'
3 N 67° 22' 57" E 124.73'	4 N 1° 38' 50" W 76.08'
4 N 1° 38' 50" W 76.08'	5 S 70° 29' 44" W 128.87'
5 S 70° 29' 44" W 128.87'	EXTRA LAND 7,143 SF. or 0.16396 Ac. SHOWN THUS:
P265-1 MAPLE AVENUE INVESTMENT PARTNERS, LLC TAX ACCT. 04-00052218	
1 S 70° 29' 44" W 38.03'	2 S 1° 41' 05" E 98.18'
2 S 1° 41' 05" E 98.18'	3 N 67° 14' 00" E 172.30'
3 N 67° 14' 00" E 172.30'	4 N 1° 38' 50" W 71.12'
4 N 1° 38' 50" W 71.12'	5 S 87° 22' 57" W 124.73'
5 S 87° 22' 57" W 124.73'	6 R = 15.00' A = 19.10'
6 R = 15.00' A = 19.10'	7 N 1° 41' 32" E 24.20'
7 N 1° 41' 32" E 24.20'	FEE SIMPLE AREA 12,838 SF. or 0.29468 Ac. SHOWN THUS:

P1 FORUM COUNCIL OF CO-OWNERS TAX ACCT. 04-01608326, ET AL.	
1 S 8° 36' 07" W 148.70'	2 S 87° 12' 53" W 102.90'
2 S 87° 12' 53" W 102.90'	3 S 02° 47' 07" E 5.00'
3 S 02° 47' 07" E 5.00'	4 N 87° 12' 53" E 102.95'
4 N 87° 12' 53" E 102.95'	5 N 8° 36' 07" E 148.84'
5 N 8° 36' 07" E 148.84'	6 S 1° 38' 03" E 16.76'
6 S 1° 38' 03" E 16.76'	7 N 70° 10' 24" E 5.00'
7 N 70° 10' 24" E 5.00'	8 N 1° 38' 03" W 20.50'
8 N 1° 38' 03" W 20.50'	PERPETUAL EASEMENT AREA 1,332 SF. or 0.03058 Ac. SHOWN THUS:
T1 FORUM COUNCIL OF CO-OWNERS	
1 N 87° 12' 53" E 89.39'	2 S 02° 47' 07" E 5.00'
2 S 02° 47' 07" E 5.00'	3 N 87° 12' 53" E 102.95'
3 N 87° 12' 53" E 102.95'	4 N 8° 36' 07" E 148.83'
4 N 8° 36' 07" E 148.83'	5 S 1° 38' 03" E 16.77'
5 S 1° 38' 03" E 16.77'	6 S 70° 10' 25" W 5.00'
6 S 70° 10' 25" W 5.00'	7 N 1° 38' 03" W 4.98'
7 N 1° 38' 03" W 4.98'	8 N 62° 31' 57" W 15.08'
8 N 62° 31' 57" W 15.08'	9 S 8° 36' 07" W 128.50'
9 S 8° 36' 07" W 128.50'	10 S 87° 12' 44" W 172.29'
10 S 87° 12' 44" W 172.29'	11 N 02° 47' 08" W 10.00'
11 N 02° 47' 08" W 10.00'	TEMPORARY EASEMENT AREA 2,030 SF. or 0.04660 Ac. SHOWN THUS:
TEMPORARY EASEMENT AREA 2,030 SF. or 0.04660 Ac. SHOWN THUS:	

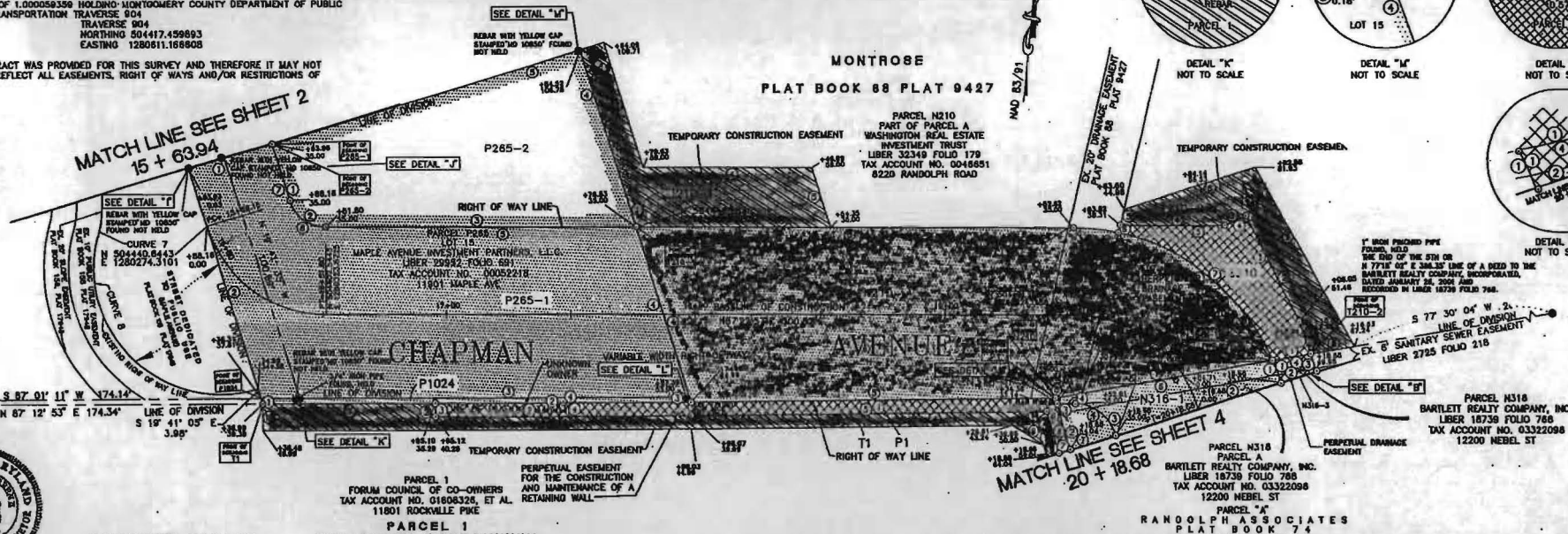
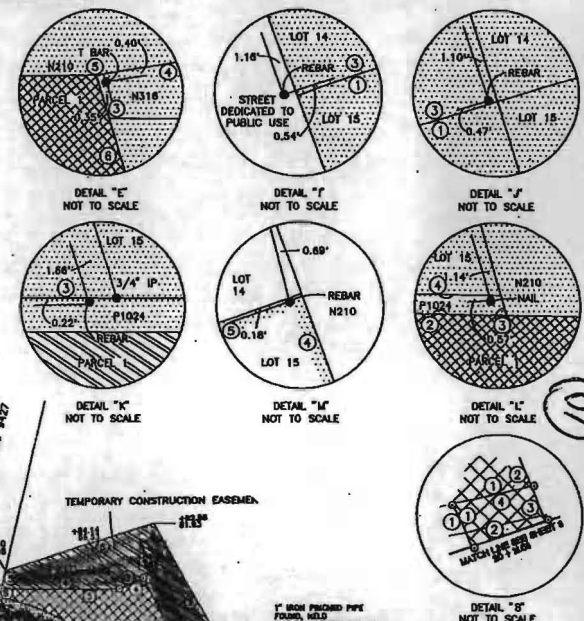
N210 WASH. REAL ESTATE INVS. TRUST TAX ACCT. 04-00046651	
1 N 77° 30' 04" E 89.21'	2 R = 87.00' A = 101.36'
2 R = 87.00' A = 101.36'	3 CHD. N 5° 13' 38" W 95.75'
3 CHD. N 5° 13' 38" W 95.75'	4 S 87° 22' 57" W 178.09'
4 S 87° 22' 57" W 178.09'	5 S 1° 38' 50" E 73.21'
5 S 1° 38' 50" E 73.21'	6 N 8° 36' 07" E 148.70'
6 N 8° 36' 07" E 148.70'	FEE SIMPLE AREA 15,002 SF. or 0.34440 Ac. SHOWN THUS:
T210-1 WASH. REAL ESTATE INVS. TRUST TAX ACCT. 04-00046651	
1 N 1° 38' 50" W 75.08'	2 N 70° 20' 09" E 10.00'
2 N 70° 20' 09" E 10.00'	3 S 1° 38' 50" E 53.04'
3 S 1° 38' 50" E 53.04'	4 N 87° 22' 57" E 87.36'
4 N 87° 22' 57" E 87.36'	5 S 1° 38' 50" E 25.10'
5 S 1° 38' 50" E 25.10'	6 S 87° 22' 57" W 77.82'
6 S 87° 22' 57" W 77.82'	TEMPORARY EASEMENT AREA 2,383 SF. or 0.05471 Ac. SHOWN THUS:
T210-2 WASH. REAL ESTATE INVS. TRUST TAX ACCT. 04-00046651	
1 N 21° 34' 12" W 13.84'	2 N 25° 34' 01" W 47.29'
2 N 25° 34' 01" W 47.29'	3 S 81° 28' 28" W 9.58'
3 S 81° 28' 28" W 9.58'	4 S 87° 20' 16" W 42.48'
4 S 87° 20' 16" W 42.48'	5 N 1° 44' 05" E 8.68'
5 N 1° 44' 05" E 8.68'	6 N 8° 37' 49" E 55.96'
6 N 8° 37' 49" E 55.96'	7 S 30° 54' 52" E 91.89'
7 S 30° 54' 52" E 91.89'	8 S 77° 30' 04" W 17.55'
8 S 77° 30' 04" W 17.55'	TEMPORARY EASEMENT AREA 1,723 SF. or 0.03955 Ac. SHOWN THUS:

S210 WASH. REAL ESTATE INVS. TRUST TAX ACCT. 04-00046651	
1 N 77° 30' 04" E 15.34'	2 N 21° 34' 44" W 13.84'
2 N 21° 34' 44" W 13.84'	3 N 28° 33' 45" W 47.29'
3 N 28° 33' 45" W 47.29'	4 S 81° 28' 14" W 9.58'
4 S 81° 28' 14" W 9.58'	5 S 87° 19' 43" W 42.48'
5 S 87° 19' 43" W 42.48'	6 S 10° 44' 05" W 3.31'
6 S 10° 44' 05" W 3.31'	7 R = 87.00' A = 83.23'
7 R = 87.00' A = 83.23'	CHD. S 53° 15' 01" E 80.09'
CHD. S 53° 15' 01" E 80.09'	PERPETUAL ORNAMENT EASEMENT 1,505 SF. or 0.03454 Ac. SHOWN THUS:
N318-1 BARTLETT REALTY COMPANY, INC. TAX ACCT. 04-03322098	
1 R = 87.00' A = 9.14'	CHD. S 22° 50' 08" E 9.13'
CHD. S 22° 50' 08" E 9.13'	2 S 70° 10' 24" W 70.00'
2 S 70° 10' 24" W 70.00'	3 R = 17.00' A = 21.60'
3 R = 17.00' A = 21.60'	CHD. N 56° 13' 18" W 20.17'
CHD. N 56° 13' 18" W 20.17'	4 S 87° 22' 57" W 7.33'
4 S 87° 22' 57" W 7.33'	5 N 1° 38' 03" W 18.41'
5 N 1° 38' 03" W 18.41'	6 N 77° 30' 04" E 89.21'
6 N 77° 30' 04" E 89.21'	FEE SIMPLE AREA 1,049 SF. or 0.02409 Ac. SHOWN THUS:

N318-3 BARTLETT REALTY COMPANY, INC. TAX ACCT. 04-03322098	
1 R = 87.00' A = 9.14'	CHD. S 22° 50' 08" E 9.13'
CHD. S 22° 50' 08" E 9.13'	2 N 70° 10' 24" E 14.95'
2 N 70° 10' 24" E 14.95'	3 N 21° 34' 44" W 7.17'
3 N 21° 34' 44" W 7.17'	4 S 77° 30' 04" W 15.34'
4 S 77° 30' 04" W 15.34'	PERPETUAL DRAINAGE EASEMENT 122 SF. or 0.00278 Ac. SHOWN THUS:
N318-5 BARTLETT REALTY COMPANY, INC. TAX ACCT. 04-03322098	
1 S 70° 10' 24" W 16.04'	2 N 1° 38' 03" W 18.41'
2 N 1° 38' 03" W 18.41'	3 N 67° 22' 57" E 7.33'
3 N 67° 22' 57" E 7.33'	4 R = 17.00' A = 21.60'
4 R = 17.00' A = 21.60'	CHD. S 8° 58' 13" E 20.17'
CHD. S 8° 58' 13" E 20.17'	EXTRA LAND AREA 285 SF. or 0.00657 Ac. SHOWN THUS:



VICINITY MAP
SCALE 1/4" = 100 FT.



MONTROSE PAVILION
PLAT BOOK 81 PLAT 6269

PARCEL 1
THE FORUM CONDOMINIUM
CONDOMINIUM PLAT 858
LIBER 4393 FOLIO 93

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BRG.	CHORD
CURVE 4	63.84	50.00	72°55'34"	38.95	S56°02'15"E	59.43
CURVE 5	66.08	52.00	72°47'28"	39.33	S56°13'19"W	61.71
CURVE 7	27.74	50.00	31°47'35"	14.24	S03°46'51"E	27.36
CURVE 8	106.45	50.00	121°58'55"	80.17	S48°45'54"E	87.45

PREPARED FOR
MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION
101 MONROE STREET
ROCKVILLE, MARYLAND 20850
240-777-7220
PROJECT NUMBER: 500719

THE WILSON T. BALLARD CO.
CONSULTING ENGINEERS
17 GWYNNS MILL COURT
OWINGS MILLS, MARYLAND
21117
410-363-0150

RIGHT OF WAY PLAT
CHAPMAN AVENUE
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
RIGHT OF WAY PLAT FILE NO. 927
(REVISION OF RIGHT OF WAY PLAT FILE NO. 832)

ENGINEER'S CERTIFICATE

I HEREBY ADOP THIS RIGHT OF WAY PLAT AND CERTIFY THAT A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24 (a)(2) OF THE MONTGOMERY COUNTY CODE, WILL BE ENGAGED TO SET THE RIGHT OF WAY MARKERS SHOWN THUS O.

Bruce E. Johnston
Bruce E. Johnston
Chief, Division of Transportation Engineering

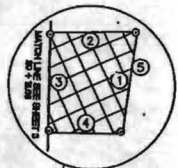
8/22/14
DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; THAT IT DEPICTS A PLAT OF THE PROPOSED RIGHT OF WAY FOR THE CHAPMAN AVENUE IMPROVEMENT; THAT IT IS BASED ON A RIGHT-OF-WAY/EASEMENT SURVEY COMPLETED ON JULY 26, 2006; AND THAT IT DELINEATES THE LAND TO BE ACQUIRED BY MONTGOMERY COUNTY IN CONNECTION WITH THIS ROAD IMPROVEMENT.

Robert L. Green, II
Robert L. Green, II
Professional Land Surveyor
Maryland Registration No. 21174
Expiration Date: June 27, 2015

4/24/14
DATE



DETAIL "C"
NOT TO SCALE

NOTES:

1. HORIZONTAL DATUM IS BASED ON THE FOLLOWING SURVEY CONTROL PROVIDED BY THE WASHINGTON SUBURBAN SANITARY COMMISSION IN MARYLAND STATE PLANE COORDINATE SYSTEM HAD 85/91 DATUM.

WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19929
STANDARD W.S.S.C. BRASS DISK
STAMPED "19929" SET IN 10"
CONCRETE MONUMENT
NORTHING 504002.242
EASTING 1279352.189

WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19928
STANDARD W.S.S.C. BRASS DISK
STAMPED "19928" SET IN 10"
CONCRETE ISLAND
NORTHING 502303.917
EASTING 1280457.872

2. TRAVERSE COORDINATES AND DISTANCES HAVE BEEN SCALED UP TO GROUND DISTANCES BY A FACTOR OF 1.000059339 HOLDING MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION TRAVERSE 904
TRAVERSE 904
NORTHING 504417.459893
EASTING 1280611.186808

3. NO TITLE ABSTRACT WAS PROVIDED FOR THIS SURVEY AND THEREFORE IT MAY NOT NECESSARILY REFLECT ALL EASEMENTS, RIGHT OF WAYS AND/OR RESTRICTIONS OF RECORD.

N316-4
BARTLETT REALTY COMPANY, INC.
TAX ACCT. 04-03322096
1 N 77° 31' 03" E 15.48'
2 N 21° 34' 44" W 12.98'
3 S 70° 10' 24" W 14.95'
4 S 19° 49' 38" E 10.97'
PERPETUAL DRAINAGE EASEMENT
181 SF. or 0.00416 Ac.
SHOWN THUS:

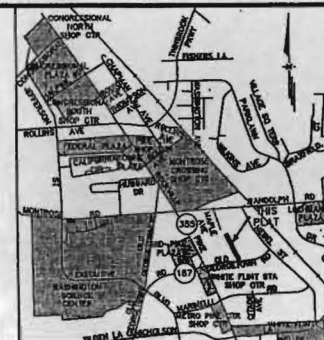
N368
WHITE FLINT STATION COUNCIL
OF UNIT OWNERS
TAX ACCT. 04-03545896, ET AL.
1 N 87° 18' 17" E 25.13'
2 S 02° 39' 40" E 27.80'
3 S 87° 18' 46" W 25.13'
4 N 02° 40' 14" W 27.59'
TEMPORARY EASEMENT AREA
694 SF. or 0.01583 Ac.
SHOWN THUS:

N371
WHITE FLINT STATION COUNCIL
OF UNIT OWNERS
TAX ACCT. 04-03545896, ET AL.
1 S 02° 42' 27" E 27.55'
2 S 87° 19' 40" W 27.55'
3 N 02° 40' 01" W 27.53'
4 N 87° 17' 59" E 27.53'
TEMPORARY EASEMENT AREA
758 SF. or 0.01741 Ac.
SHOWN THUS:

N318-2
BARTLETT REALTY COMPANY, INC.
TAX ACCT. 04-03322096
1 S 87° 17' 56" W 70.00'
2 R = 415.00' A = 121.72'
CHD. N 11° 25' 23" W 121.28'
3 N 19° 49' 38" W 172.23'
4 N 70° 10' 24" E 70.00'
5 S 19° 49' 38" E 172.23'
6 R = 485.00' A = 142.84'
CHD. S 11° 24' 04" E 142.13'
FEE SIMPLE AREA
21,308 SF. or 0.48918 Ac.
SHOWN THUS:

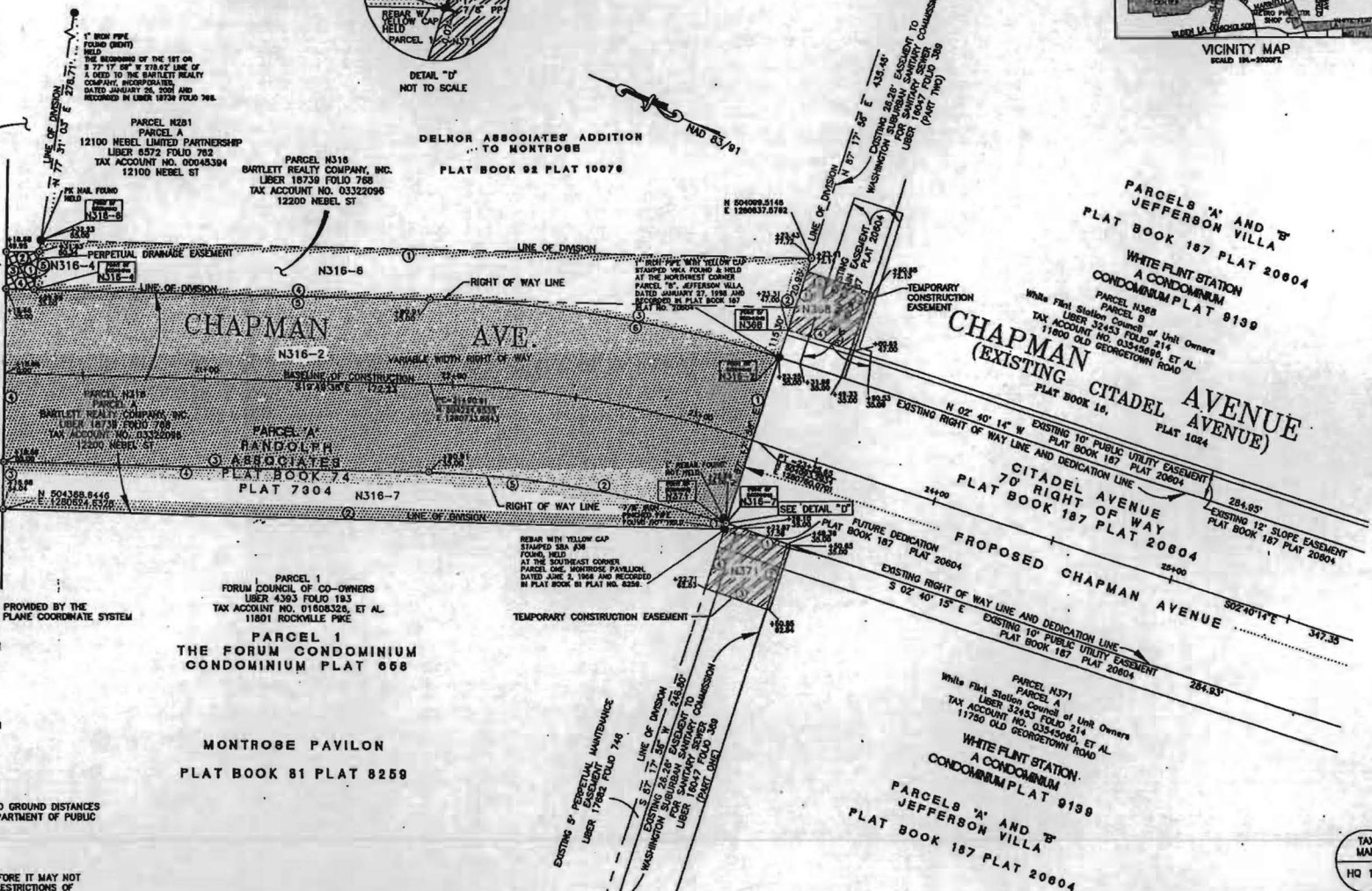
N318-6
BARTLETT REALTY COMPANY, INC.
TAX ACCT. 04-03322096
1 S 19° 49' 38" E 311.85'
2 S 87° 17' 56" W 42.72'
3 R = 485.00' A = 142.84'
CHD. N 11° 24' 04" W 142.13'
4 N 19° 49' 38" W 161.28'
5 N 77° 31' 03" E 20.17'
EXTRA LAND AREA
7,235 SF. or 0.16610 Ac.
SHOWN THUS:

N318-7
BARTLETT REALTY COMPANY, INC.
TAX ACCT. 04-03322096
1 S 87° 17' 56" W 2.50'
2 N 19° 38' 03" W 291.45'
3 N 70° 10' 24" E 18.04'
4 S 19° 49' 38" E 172.23'
5 R = 415.00' A = 121.72'
CHD. S 11° 25' 23" E 121.28'
EXTRA LAND AREA
6,029 SF. or 0.11544 Ac.
SHOWN THUS:



VICINITY MAP
SCALE 1/4" = 100 FT.

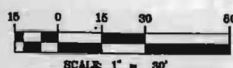
MATCH LINE SEE SHEET 3
20 + 18.68



PARCEL 1
THE FORUM CONDOMINIUM
CONDOMINIUM PLAT 668

MONTROBE PAVILION
PLAT BOOK 81 PLAT 8259

PARCELS 'A' AND 'B'
JEFFERSON VILLA
PLAT BOOK 187 PLAT 20804



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BRG.
CURVE B	134.74	450.00	170°21'	87.88	N11°14'55"W 134.24'

PREPARED FOR
MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION
101 MONROE STREET
ROCKVILLE, MARYLAND 20850
240-777-7220

PROJECT NUMBER: 500719

THE WILSON T. BALLARD CO.
CONSULTING ENGINEERS
17 GWYNNS MILL COURT
OWINGS MILLS, MARYLAND
21117

410-363-0150

RIGHT OF WAY PLAT
CHAPMAN AVENUE
4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
RIGHT OF WAY PLAT FILE NO. 928
(REVISION OF RIGHT OF WAY PLAT FILE NO. 833)

ENGINEER'S CERTIFICATE

I HEREBY ADOPT THIS RIGHT OF WAY PLAT AND CERTIFY THAT A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 90-24 (A)(2) OF THE MONTGOMERY COUNTY CODE, WILL BE ENGAGED TO SET THE RIGHT OF WAY MARKERS SHOWN THUS O.

Bruce E. Johnston
Bruce E. Johnston
Chief, Division of Transportation Engineering

8/22/2014
DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; THAT IT DEPICTS A PLAT OF THE PROPOSED RIGHT OF WAY FOR THE CHAPMAN AVENUE IMPROVEMENT; THAT IT IS BASED ON A RIGHT-OF-WAY/EASEMENT SURVEY COMPLETED ON JULY 24, 2008; AND THAT IT DELINEATES THE LAND TO BE ACQUIRED BY MONTGOMERY COUNTY IN CONNECTION WITH THIS ROAD IMPROVEMENT.

Robert L. Green, II
Robert L. Green, II
Professional Land Surveyor
Maryland Registration No. 21174
Expiration Date: June 27, 2015

12/2/13
DATE

NOTES:

1. HORIZONTAL DATUM IS BASED ON THE FOLLOWING SURVEY CONTROL PROVIDED BY THE WASHINGTON SUBURBAN SANITARY COMMISSION IN MARYLAND STATE PLANE COORDINATE SYSTEM NAD 83/81 DATUM.

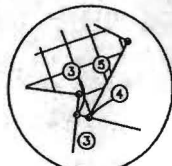
WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19929
STANDARD W.S.S.C. BRASS DISK
STAMPED "19929" SET IN 10" CONCRETE MONUMENT
NORTHING 504602.242
EASTING 1279392.189

WASHINGTON SUBURBAN SANITARY COMMISSION
TRAVERSE STATION 19928
STANDARD W.S.S.C. BRASS DISK
STAMPED "19928" SET IN 10" CONCRETE ISLAND
NORTHING 502033.917
EASTING 1280457.872

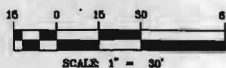
2. TRAVERSE COORDINATES AND DISTANCES HAVE BEEN SCALED UP TO GROUND DISTANCES BY A FACTOR OF 1.00058359 HOLDING MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION TRAVERSE 904

TRAVERSE 904
NORTHING 504417.459883
EASTING 1280811.189805

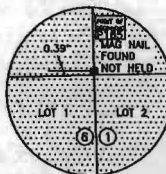
3. NO TITLE ABSTRACT WAS PROVIDED FOR THIS SURVEY AND THEREFORE IT MAY NOT NECESSARILY REFLECT ALL EASEMENTS, RIGHT OF WAYS AND/OR RESTRICTIONS OF RECORD.



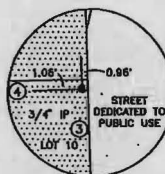
DETAIL "A"
NOT TO SCALE



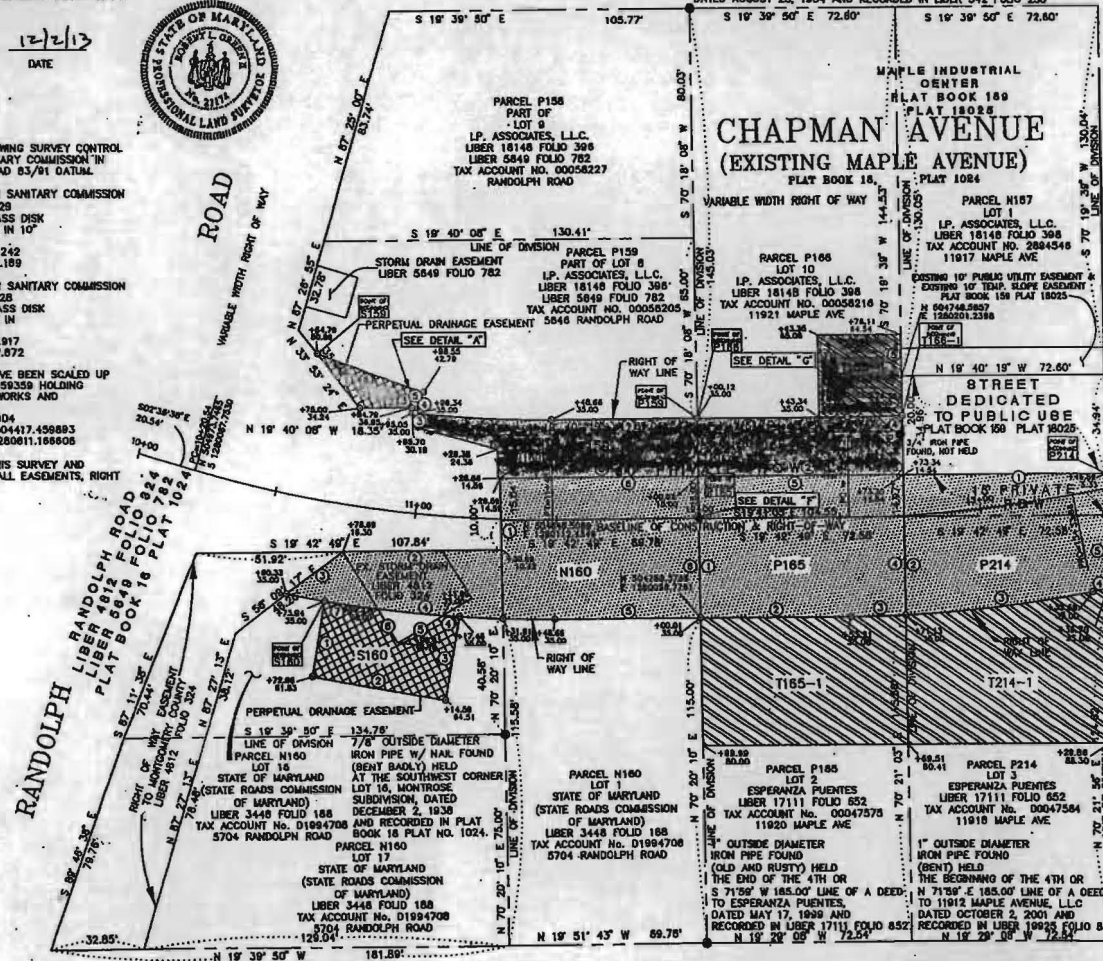
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BRG.
CURVE 1	128.12	430.00	170°41'17"	84.64	S111°08'26"E 127.65
CURVE 2	80.45	430.00	107°43'11"	40.34	S25°02'41"E 80.33



DETAIL "F"
NOT TO SCALE



DETAIL "G"
NOT TO SCALE



PREPARED BY
MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION
101 MONROE STREET
ROCKVILLE, MARYLAND 20850
240-777-7220

PROJECT NUMBER: 500719

THE WILSON T. BALLARD CO.
CONSULTING ENGINEERS
17 GWYNNS MILL COURT
OWINGS MILLS, MARYLAND
21117
410-363-0150

RIGHT OF WAY PLAT CHAPMAN AVENUE

4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
RIGHT OF WAY PLAT FILE NO. 926
(REVISION OF RIGHT OF WAY PLAT FILE NO. 830)

P159
LP ASSOCIATES, L.L.C.
TAX ACCT. 04-00056205

1	N 1° 41' 05" W	51.48'
2	R = 395.00' A = 49.24' CHD. N 1° 06' 45" W 49.21'	
3	S 7° 19' 52" W	4.85'
4	S 0° 01' 36" E	31.15'
5	S 7° 19' 52" W	9.81'
6	S 1° 41' 05" E	70.56'
7	N 7° 18' 06" E	20.00'

FEE SIMPLE AREA
1841 SF. or 0.03768 Ac.
SHOWN THUS:

S169
LP ASSOCIATES, L.L.C.
TAX ACCT. 04-00056205

1	S 33° 53' 25" W	24.66'
2	S 19° 40' 08" E	18.35'
3	S 70° 19' 52" W	1.98'
4	R = 395.00' A = 1.18' CHD. S 12° 37' 39" E	1.18'
5	S 85° 22' 53" E	8.05'
6	N 01° 37' 07" E	39.81'

PERPETUAL DRAINAGE EASEMENT
320 SF. or 0.00735 Ac.
SHOWN THUS:

N160
STATE OF MARYLAND
TAX ACCT. 04-01994708

1	S 7° 20' 10" W	25.04'
2	N 1° 42' 48" W	55.92'
3	N 56° 09' 17" W	25.60'
4	R = 485.00' A = 95.52'	
	CHD. S 13° 47' 59" E	95.36'
5	S 1° 41' 05" E	61.35'
6	N 7° 20' 10" E	50.00'
7	N 1° 41' 05" W	69.78'

FEE SIMPLE AREA
4,932 SF. or 0.11323 Ac.
SHOWN THUS:

S160
STATE OF MARYLAND
TAX ACCT. 04-01994708

1	S 80° 50' 16" W	28.83'
2	S 09° 09' 45" E	47.92'
3	N 80° 50' 16" E	29.68'
4	R = 455.00' A = 5.92' CHD. N 15°09'41" W	5.92'
5	N 49° 42' 48" W	18.43'
6	N 40° 17' 07" E	13.55'

PERPETUAL DRAINAGE EASEMENT
1,211 SF. or 0.02781 Ac.
SHOWN THUS:

P165
ESPERANZA PUENTES
TAX ACCT. 04-00047576

ESPERANZA PUENTES		
TAX ACCT. 04-00047576		
1	S 7° 20' 10" W	50.00'
2	S 1° 41' 05" E	53.20'
3	R = 465.00' A = 19.37'	
	CHD. S 20° 52' 42" E 19.37'	

FEE SIMPLE AREA
3,626 SF. or 0.08328 Ac.
SHOWN THUS:

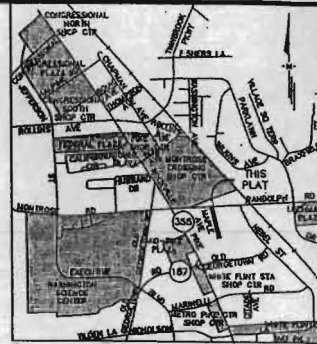
P214
ESPERANZA PUENTES
TAX ACCT. 04-00047584

CO.	RICH
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FEE SIMPLE AREA
3,351 SF. or 0.07684 Ac.
SHOWN THUS:

T214-1
ESPERANZA PUENTES
TAX ACCT. 04-00047584

TEMPORARY EASEMENT AREA
3,648 SF. or 0.08414 Ac.
SHOWN THUS:



VICINITY MAP
SCALE: 1" = 500 FT.

12

TAX
MAP
HQ 122



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

October 17, 2014

Arthur Holmes, Jr.
Director

Via Electronic Mail and First Class Mail

Mr. James F. Whalen
I.P. Associates, LLC
11 North Washington St., Suite 200
Rockville, Maryland 20850

RE: Chapman Avenue Extended
CIP Project No. 500719
I.P. Associates, LLC

Dear Mr. Whalen:

The County Executive requested, and the Council approved, funding for the extension to Chapman Avenue from Randolph Road to Old Georgetown Road. The Council appropriated funds to acquire the property needed to construct the improvements. Over the last several months, this Department has been working to secure the necessary right of way, but as there are still several properties still pending, and in order to avoid any delay in the construction of the project, we are asking the County Council for the authority to acquire those properties under the County's power of eminent domain - advance take procedure.

If the Council approves the request, the County Attorney will file an Advance Take Petition to immediately take possession of the property referenced above and will deposit funds with the Circuit Court that correspond to the fair market value of the property rights acquired, as determined by a qualified, licensed real estate appraiser. If an Advance Take Petition is filed, further information will be provided to you regarding how to withdraw those funds deposited with the Circuit Court. The funds deposited with the Circuit Court do not necessarily dictate the amount of money ultimately received, either as a result of further negotiations or a jury trial, if one is necessary. We can certainly continue to try to reach an agreement for the acquisition of the needed right of way.

The advance take request will be addressed by the Transportation, Infrastructure, Energy, and Environment Committee on October 27, 2014 at 9:30 a.m. in the 3rd floor conference room, and by the full Council on October 28, 2014. Please call the Council Office on the day of the hearing to learn the precise time and location. You are welcome to attend and listen to the discussion of this matter, but there will not be an opportunity to speak at the Council session. Comments may be sent, either by mail to 100 Maryland Avenue, 5th Floor, Rockville, Maryland 20850; or by e-mail to county.council@montgomerycountymd.gov.

Sincerely,

Thomas J. Reise
Chief, Property Acquisition Section

Division of Transportation Engineering

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878 • 240-777-7220 • 240-777-7277
www.montgomerycountymd.gov